# UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Allen Windrim

Debtor

CASE NO.: 21-10888-mdc

CHAPTER 13

Fay Servicing, LLC as servicer for

Wilmington Trust, National Association, not in its individual capacity, but solely as Trustee for

MFRA Trust 2016-1

Movant

v.

Judge: Magdeline D. Coleman

Hearing Date: September 7, 2021 at 10:30 am

Objection Deadline: August 24, 2021

Allen Windrim William C. Miller - Trustee Respondents

## NOTICE OF MOTION FOR RELIEF FROM AUTOMATIC STAY

Fay Servicing, LLC as servicer for Wilmington Trust, National Association, not in its individual capacity, but solely as Trustee for MFRA Trust 2016-1 has filed a Motion for Relief from Stay with the Court in order to gain Court authority to foreclose on real property known as 2244 S 9th St, Philadelphia, PA 19148-3143.

<u>Your rights may be affected.</u> You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult an attorney.)

- 1. If you do not want the Court to grant the relief sought in the motion or if you want the court to consider your views on the motion, then on or before August 24, 2021 (14 days after the date the notice was mailed) you or your attorney must do all of the following:
  - (a) file an answer explaining your position at

Clerk of Court
United States Bankruptcy Court
Robert N.C. Nix, Sr. Federal Courthouse
900 Market Street, Suite 400
Philadelphia, PA 19107

If you mail your answer to the bankruptcy clerk's office for filing, you must mail it early enough

so that it will be received on or before the date stated above; and (b) mail a copy to the movant's attorney:

Lorraine Gazzara Doyle Friedman Vartolo, LLP 1325 Franklin Avenue, Suite 160 Garden City, NY 11530 T: (212) 471-5100 F: (212) 471-5150

Bankruptcy@FriedmanVartolo.com

- 2. If you or your attorney do not take the steps described in paragraphs 1(a) and 1(b) above and attend the hearing, the court may enter an order granting the relief requested in the motion.
- 3. A hearing on the motion is scheduled to be held before the Honorable Magdeline D. Coleman on the 7th day of September 2021, at 10:30 A.M., at Robert N.C. Nix Sr. Federal Courthouse, 900 Market Street, Philadelphia, PA 19107.
- 4. If a copy of the motion is not enclosed, a copy of the motion will be provided to you if you request a copy from the attorney named in paragraph 1(b).
- 5. You may contact the Bankruptcy Clerk's office at 215-408-2800 to find out whether the hearing has been canceled because no one filed an answer.

Dated: August 10, 2021

By: /s/Lorraine Gazzara Doyle

Lorraine Gazzara Doyle, Esq. FRIEDMAN VARTOLO LLP Attorneys for Movant 1325 Franklin Avenue, Suite 160 Garden City, New York 11530 T: (212) 471-5100 F: (212) 471-5150

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## TO:

### **Trustee**

William C. Miller, Esq. Chapter 13 Trustee P.O. Box 1229 Philadelphia, PA 19105

### **Debtor's Counsel**

Brad J. Sadek, Esquire Sadek and Cooper 1315 Walnut Street Suite 502 Philadelphia, PA 19107 Email: brad@sadeklaw.com

#### **U.S.** Trustee

United States Trustee Office of the U.S. Trustee 200 Chestnut Street Suite 502 Philadelphia, PA 19106

### **Debtor**

Allen Windrim 2244 South 9<sup>th</sup> Street #3-F Philadelphia, PA 19148